

Annex A

A. Director General's Requirements



NSW GOVERNMENT
Department of Planning

**Major Project Assessment
Industry & Mining**
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Dr Bruce Blunden
Manager – Environmental Approvals
BHP Billiton Illawarra Coal Holdings Pty Ltd
PO Box 514
UNANDERRA NSW 2526

Our ref: S03/01563

Dear Dr Blunden

**Director-General's Requirements
Appin Gas Drainage Project
Project Application Number: 08_0256**

The Department has received your application for the Appin Gas Drainage Project.

I have attached a copy of the Director-General's requirements for the project. These requirements have been prepared in consultation with the relevant agencies, and are based on the information you have provided to date. I have also attached a copy of the agencies' comments for your information.

Please also note that under section 75F(3) of the EP&A Act, the Director-General may alter these requirements at any time.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal requires an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process, so if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your Environmental Assessment (EA) for the project. This will enable the Department to determine the:

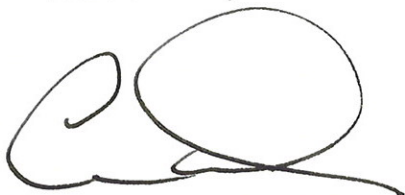
- applicable fee (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- number of copies (hard-copy and CD-ROM) of the EA that will be required for exhibition purposes.

Once it receives the Environmental Assessment, the Department will review it in consultation with relevant agencies to determine if it adequately addresses the Director-General's requirements, and may require you to revise it prior to public exhibition.

The Department is required to make all the relevant information associated with the project publicly available on its website. Consequently, I would appreciate it if you would ensure that all the documents you subsequently submit to the Department are in a suitable format for the web, and arrange for an electronic version of the EA to be hosted on a suitable website.

If you have any enquiries, please contact Alison Thomas on 9228 6339 or alison.thomas@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a large 'W' and a horizontal line underneath.

2.2.09

Chris Wilson
Executive Director
Major Project Assessment
As delegate for the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	08_0256
Project	The Appin Gas Drainage Project
Location	About 6 km north-west of Appin
Proponent	BHP Billiton Illawarra Coal Holdings Pty Ltd
Date of Issue	2 February 2009
General Requirements	<p>The Environmental Assessment of the project must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project, including the: <ul style="list-style-type: none"> – need for the project; – alternatives considered; – various components of the project; – the likely inter-relationship between the proposed project and existing or approved mining operations in the region; – likely staging of the project; and – plans of any proposed building works; • a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment, and taking into consideration the issues raised during consultation; • a detailed assessment of the key issues specified below, and any other significant issues identified in the general overview of environmental impacts of the project (see above), which includes: <ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data; - an assessment of the potential impacts of all stages of the project, taking into consideration any relevant policies, guidelines, and statutory provisions (see below); and - a description of the measures that would be implemented to avoid, minimise, mitigate, rehabilitate/remediate, monitor and/or offset the potential impacts of the project, including detailed contingency plans for managing any significant risks to the environment; • a statement of commitments, outlining all the proposed environmental management and monitoring measures; • a conclusion justifying the project on economic, social and environmental grounds, taking into consideration whether the project is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; and • a signed statement from the author of the Environmental Assessment, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Greenhouse Gas – a full greenhouse gas assessment (including an assessment of the amounts of methane likely to be either a) vented or b) flared, the feasible alternatives for the utilisation of the methane produced by the project, a quantitative analysis of the greenhouse emissions associated with the project, and a qualitative assessment of the impacts of these emissions on the environment); • Air Quality; • Noise; • Water Resources – including details on water supply for the project and statutory water licensing requirements for the protection of any watercourses, riparian corridors and wetlands on the site; • Erosion and Sediment Control – including the proposed erosion and sediment controls during construction and stormwater and spill management during operation; • Biodiversity – including potential impacts to any threatened species, populations or ecological communities and the minimisation of any vegetation clearing;

	<ul style="list-style-type: none"> • Aboriginal and Non-Aboriginal Heritage; • Risks and Hazards; • Waste; • Visual; and • Rehabilitation – including a detailed description of the measures that would be implemented to rehabilitate the site upon completion of extraction.
References	The Environmental Assessment must take into account relevant State and Commonwealth Government technical and policy guidelines. While not exhaustive, the following attachment contains a list of some of the guidelines, policies and plans that may be relevant to the environmental assessment of this project.
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners.</p> <p>In particular you should consult with the:</p> <ul style="list-style-type: none"> • Department of Environment and Climate Change; • Department of Primary Industries; • Department of Water and Energy; • Mine Subsidence Board • Road and Traffic Authority; and • Wollondilly Shire Council. <p>The consultation process and the issues raised during this process must be described in the Environmental Assessment.</p>
Deemed refusal period	60 days

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Greenhouse Gas	National Greenhouse Accounts (NGA) Factors (AGO)
Air Quality	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Noise	NSW Industrial Noise Policy (DECC) Environmental Noise Control Manual (DECC)
Water Resources	
<i>Surface Water</i>	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
<i>Groundwater</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC)
Biodiversity	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC) NSW Groundwater Dependent Ecosystem Policy (DLWC) State Environmental Planning Policy No. 44 – Koala Habitat Protection
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC) Aboriginal Cultural Heritage Standards and Guidelines Kit (NSW EPA)
<i>Non- Aboriginal</i>	NSW Heritage Manual (NSW Heritage Office & DUAP)
Risks and Hazards	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP) Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis Locational Guidelines – Development in the vicinity of operating coal seam methane wells (DIPNR) Planning for Bushfire Protection (NSW RFS)